

Attachment E

Conditions of Approval

ATTACHMENT E
CONDITIONS OF APPROVAL
TENTATIVE TRACT MAP 16730

All applicable provisions and requirements of City Codes and Ordinances shall be met for this project. All conditions unless otherwise specifies are due prior to the issuance of building permits. The following specific requirements shall also apply:

1. COMMUNITY DEVELOPMENT DEPARTMENT

- 1.1 Within two years of this approval, the Tentative Tract Map shall be exercised or the permit/approval shall become null and void. These subdivisions shall be granted an extension of time for up to the ten (10) year term of the Development Agreement.
- 1.2 In the event that this approval is legally challenged, the City will promptly notify the applicant of any claim or action and will cooperate fully in the defense of the matter. Once notified, the applicant agrees to defend, indemnify, and hold harmless the City, its officers, agents and employees from any claim, action or proceeding against the City of Loma Linda. The applicant further agrees to reimburse the City of any costs and attorneys' fees, which the City may be required by a court to pay as a result of such action, but such participation shall not relieve applicant of his or her obligation under this condition.
- 1.3 The proposed small lot subdivision shall conform to all provisions of Title 16 of the Loma Linda Municipal Code (LLMC).
- 1.4 All of the items specified in the Development Agreement shall be made conditions of this project.
- 1.5 Mitigation measures listed in the Mitigated Negative Declaration shall be made conditions of this project.
- 1.6 The applicant shall submit proposed street names to the Community Development Department for review by the Historical Commission and the approval of the City Council pursuant to the City of Loma Linda Park and Facilities Names Policy Procedure.
- 1.7 The project and future development and/or improvements shall conform to the approved Mission Creek Planned Community Document.

- 1.8 The developer shall provide infrastructure for the Loma Linda Connected Community Program, which includes providing a technologically enabled development that includes coaxial, cable, and fiber optic lines to all outlets in each unit of the development. Plans for the location of the infrastructure shall be provided with the precise grading plans and reviewed and approved by the City of Loma Linda prior to issuing grading permits.
- 1.9 The trash receptacle location and design shall be approved by the waste hauler company and written proof of the approval shall be provided to the Community Development Department prior to issuance of building permits.
- 1.10 All plans for building construction shall comply with the latest edition of the California Building Code (CBC).
- 1.11 A water test shall be required to determine if water is aggressive to copper or metal pipe. The Ph and dissolved oxygen contents must be provided in the water test and results submitted to the Building Division prior to issuance of building permits. If plastic pipe is proposed, approval from the Building Division shall be required prior to issuance of building permits.
- 1.12 Approval of TTM 16370, GPA 04-01, ZC 04-01 and PPD 04-03 is contingent upon the applicant and property owners signing and returning an "Agreement to Conditions Imposed" form as established by the Community Development Department.

Architecture

- 1.13 A phasing plan shall be submitted to the Community Development Department for review and approval prior to issuance of any permits. The plan shall illustrate the location of models, proposed temporary fencing for the models and location and quantity of parking spaces for the models, temporary sales offices and construction trailer.
- 1.14 The Loma Linda Connected Communities Hub structure located in the western most park site shall be completed prior to occupancy of phase one.
- 1.15 Sales model complex and common areas shall provide access to disabled persons. Provide notes to indicate accessible paths of travel to the sales area including pedestrian gates, sidewalks and accessible parking. A parking space at the model complex area shall be designated as van accessible with an eight-foot aisle.
- 1.16 The applicant shall note on the final plans that a six-foot-high chain-link fence shall be installed around the site prior to building construction stages. Gated entrances shall be permitted along the perimeter of the site for construction vehicles.

- 1.17 The proposed color schemes, specifically the wall base color, shall be modified to create more of a contrasting difference between the base colors for the following schemes:
1. Schemes #5 and #15;
 2. Schemes #13, #14, and #4;
 3. Schemes #3 and #8;
 4. Schemes #7 and #12; and,
 5. Schemes #1, #2, and #11
- 1.18 All colors and materials shall be reviewed and approved by the Community Development Department prior to issuance of building permits.
- 1.19 The proposed composition roof tiles shall be a 40-year material.
- 1.20 The architectural style of the same house plan shall not be side by side. The same color/material schemes of any plan shall not be side by side or across a street or alley.
- 1.21 The placement of residences on corner lots shall be modified to ensure that the wrap around porch and the side entry plans are plotted for the corner lots.
- Lots plotted with Plan 1700: 26, 27, 35, 36, 48, 57, 67, 68, 84, 85, 113, 232, 233, 234, and 255.
- Lots plotted with Plan 2700: 83, 124, 125, 160, 170, 171, and 203.
- 1.22 The placement of residences on Mission Road shall be modified to ensure that the same residence is not beside on another. Therefore, the following changes should be made to the Site Plan:
- Lot 10 – Plan 1
Lot 11 – Plan 2
Lot 12 – Plan 1
Lot 13 – Plan 2
Lot 14 – Plan 1
Lot 15 – Plan 2
Lot 16 – Plan 1
- 1.23 Final street light style and specifications shall be included in the working drawings, subject to review and approval of the Community Development Department prior to issuance of permits for the production homes.

- 1.24 Where appropriate wrap around porches shall be placed on the residences. Review and approval of site plan illustrating additional wrapped porches shall be conducted by the Community Development Department.
- 1.25 Garage door designs shall be reviewed and approved by the Community Development Department.
- 1.26 A window shall be provided above the kitchen sink in Mission Road Plan 2.
- 1.27 A window shall be added to the right side of plan 2100 to break up the massing of the blank wall.
- 1.28 The mailbox kiosks shall be architecturally enhanced. The final mailbox architectural details indicating color and exterior treatment shall be included in the working drawings, subject to review and approval of the Community Development Department to issuance of permits for the production homes.

Landscaping

- 1.29 The applicant shall submit three sets of the final landscape plan prepared by a state licensed Landscape Architect, subject to approval by the Community Development Department, and by the Public Works Department for landscaping in the public right-of-way. Landscape plans for the Landscape Maintenance District shall be on separate plans.
- 1.30 Final landscape and irrigation plans shall be in substantial conformance with the approved conceptual landscape plan, the approved Landscape Guidelines for Mission Trails, and these conditions of approval.
- 1.31 All parks shall be designed to comply with the handicap provisions of the CBC.
- 1.32 The optional parking proposed within each park, illustrated in the landscape plans dated June 3, 2004 on page LC-7 (addressing the east side of the tract) shall be implemented into the overall design of each park.
- 1.33 All fencing around the yard areas shall be installed with the houses and shall be illustrated on the final landscape plan.
- 1.34 Wrought iron and wood fencing in side and rear yards shall be a maximum of five feet six inches in height. The picket fencing in the front yards shall be a maximum of three feet in height.
- 1.35 The wood and vinyl fencing shall be finished with the same color.

- 1.36 All fencing adjacent to any public park shall be wrought iron.
- 1.37 The side yards shall be enclosed adjacent to and facing Mission Road, with split face concrete block walls.
- 1.38 The courtyard wall concrete cap along Mission Road shall be consistent with the development to the west. The cap shall be 2" X 10" X 16" "Pitched Cap" by Riverside Stone Veneer or its equal. Each pilaster shall have a 18" X 18" concrete cap by Riverside Stone Veneer in a "Natural" concrete color.
- 1.39 Pilaster light fixtures shall be reviewed and approved by the Community Development Department prior to issuance of permits for the production homes.
- 1.40 The block wall along the southeastern tract boundary shall be two sided split face block.
- 1.41 A pedestrian walkway shall be provided directly from the front entry to the sidewalk.
- 1.42 A concrete pedestrian walkway shall be provided from the driveway to the side yard gate where the receptacle containers are stored. A pad for the receptacle containers shall be provided and reviewed by the Community Development Department prior to issuance of building permits. The pad shall be large enough to accommodate three containers.
- 1.43 The trail on Mission Road shall match the color and design of similar trail on the development to the west. The internal trail shall also match the color and design of similar trail in the development to the west.
- 1.44 Landscape plans shall depict the utility laterals, concrete improvements, and tree locations. Any modification to the placement of one street tree, as specified, in front of each house shall be reviewed and approved by the Community Development Department prior to issuance of permits.
- 1.45 The tipu tree proposed as street trees shall be replaced with either the Chinese Pistache or Elm tree of same size. The tipu tree can be planted in the park areas.
- 1.46 Root guards shall be placed around the roots of all trees to be planted in the front, exterior side yards, yards adjacent to alleys and in the parkways.
- 1.47 The developer shall provide landscaping for the front yard, exterior side yard and rear yards outside of the fence adjacent to an alley for each dwelling unit and shall also provide landscaping for all common areas including parks, trails and parkways.

- 1.48 A six (6) foot block wall shall be constructed adjacent to the lot line of the existing lot on the west side of the tract (26101 Mission Road). The block wall shall be split face block with landscaping planted adjacent to the wall to soften the wall appearance. The colors, materials, and plant species shall be reviewed and approved by the Community Development Department.
- 1.49 Tot lots shall be accessible to all children including children with disabilities.

Noise

- 1.50 Indicate the location of air conditioner condensers in the yards and address the noise level issues according to City of Loma Linda Noise Ordinance.
- 1.51 During construction of the site, the project shall comply with Section 9.20.050 (Prohibited Noises) of the Loma Linda Municipal Code, which requires that exterior construction activities and any interior construction activities that would effect exterior noise levels cease between the hours of 6:00 p.m. to 7:00 a.m.

Cultural Resources

- 1.52 Full-time monitoring by a licensed archeologist during all grubbing, grading, and utility trenching activities where intact soils below the upper 2 feet of grade are disturbed. Native American tribal monitors (from groups indicated by the NAHC) shall be hired by the project proponent and shall be on site during the grubbing, grading, and utility trenching phases of the project. These monitors shall also be on-site during any archaeological Phase 2 testing or Phase 3 (excavation) work.
- 1.53 If human remains be discovered during construction activities, all work in the area shall be suspended and the San Bernardino County Coroner shall be notified of the discovery. Work shall not resume until the Coroner has approved resumption of activities.
- 1.54 In the event that fossil resources are uncovered during construction, a qualified vertebrate paleontologist must be retained to develop a program to mitigate for impacts to nonrenewable fossil resources.
- 1.55 Should potentially significant buried cultural resources be uncovered during construction, such resources should be tested by a qualified archaeologist for historical significance prior to continuing construction or grading.

2. PUBLIC SAFETY DEPARTMENT

- 2.1 All construction shall meet the requirements of the editions of the *Uniform Building Code* (UBC)/California Building Code (CBC) and the *Uniform Fire Code* (UFC)/California Fire Code (CFC) as adopted and amended by the City of Loma Linda and legally in effect at the time of issuance of building permit.
- 2.2 Pursuant to UBC Section 904.2.2, as amended in Loma Linda Municipal Code (LLMC) Section 15.08.240, and as further modified herein, all future buildings to be constructed within the area of the tract shall be equipped with fully automatic fire sprinkler systems meeting the requirements of National Fire Protection Association (NFPA) 13D. 13D Section 4-6 shall be modified so as to provide additional sprinkler coverage beyond that specified in the standard, e.g., in garages, attached porches, additional small rooms and concealed spaces, etc. (specific language will be provided at the time of plan review).
- 2.3 Pursuant to UFC Section 1001.3, plans and specifications for the fire sprinkler systems shall be submitted to Fire Prevention for review and approval prior to installation.
- 2.4 A utility improvement plan showing the proposed locations for fire hydrants shall be submitted to Fire Prevention for review and approval as part of the plan review process (may be done in conjunction with Public Works Engineering plan review).
- 2.5 No parking shall be permitted on two-way Drives A, B, C, D, E, F, G, H, I and Street J. Parking on one side only shall be permitted on street F.
- 2.6 Building addresses shall be as assigned by the Public Safety Department upon submittal of a working copy of the Final Tract Map.
- 2.7 Illuminated house address numbers shall be provided. Addresses shall be a minimum height of four inches and visible from the public right-of-way.

3. PUBLIC WORKS DEPARTMENT

- 3.1 Record a Final Map with the San Bernardino County Recorder pursuant to the provisions of the State Subdivision Map Act prior to issuance of all permits.
- 3.2 At the time of Final Tract Map submittal, include the following: Traverse calculations (sheets), copies of recorded maps and deeds used as reference and/or showing original land division, tie notes and bench marks referenced, and a current title report. The traverse calculation sheets to show error of closure. Inverse calculations will not be acceptable for plan check review.

- 3.3 Provide to the maximum extent practicable, for the recycling and reuse of construction and demolition debris. The City of Loma Linda C & D policy applies, a reuse/recycle plan is required with periodic disposal/recycle/reuse reports. A progress report is required prior to release of any temporary or final certificate of occupancy. A concrete washout area shall be provided and maintained.

Soils/Geology/Grading

- 3.4 Submit grading plans, preliminary soils report and hydrology/hydraulic study to the Public Works Department for review and approval. The precise grading plan for the project must be approved prior to issuance of any building permits. NPDES regulations apply. A copy of your approved SWPPP and NOI issued by the State Water Resources Control Board shall be submitted to the Public Works Department.
- 3.5 Submit and obtain Public Works Department approval of an erosion/sediment control plan to minimize potential increases in erosion and sediment transport during short-term construction and long term operational activity prior to issuance of any grading or building permits.
- 3.6 Dust control will be made a condition of the grading plans for this project.
- 3.7 Submit structural design and location for any required walls for review by the Building and Safety Department.
- 3.8 Submit geology report, prepared by a licensed engineering geologist, filed with and approved by the Public Works Department prior to recordation. Submit deposit to cover the costs of the review with the report. An additional deposit may be required or a refund issued when the costs do not match the deposit. Pay review costs in full prior to recordation of the Final Map.
- 3.9 Soil sampling and analysis of visibly stained soils will be conducted prior to any grading or earthmoving activities. Certification that this work has been completed by a licensed engineering geologist, filed with and approved by the Public Works Department, shall be provided prior to the issuance of any grading permits. Any soil that is determined to contain contaminants in hazardous concentrations will be properly treated and/or removed by a qualified hazardous waste company.
- 3.10 Submit original wet signed and stamped grading certifications from the soils engineer and the grading engineer, along with compaction reports to the Public Works Department.

- 3.11 Grading operations for the site will be conducted over the entire site to ensure that soil mixing and aeration to a depth of at least 4 feet below ground surface will occur.
- 3.12 The precise grading plan for the project must be approved by the City of Loma Linda prior to issuance of any building permits.
- 3.13 Submit final grade certifications, by the grading engineer, to the Public Works Department prior to issuance of any Certificate of Occupancy.

Street Improvements

- 3.14 The project traffic report (MMA 2004) identifies a number of roadway and intersection improvements that will be needed in the future to maintain City Level of Service requirements. The developer shall make a proportionate (i.e., "fair share") contribution towards the funding for these various improvements. The proposed project's contribution to future growth in traffic would range from approximately 3.9 percent at the intersection of California Street and Barton Road to 19.6 percent at the intersection of Mountain View Avenue and Mission Road. Based on recent CEQA case law, payment of mitigation fees into an established mitigation program is considered adequate mitigation for traffic impacts. As an alternative, the City may request the developer construct one or more planned improvements within the study area as an in lieu contribution for part or all of the project's "fair share" traffic requirements. This measure shall be implemented to the satisfaction of the City Traffic Engineer.
- 3.15 Install or bond for all off-site improvements prior to recording the final map.
- 3.16 A subdivision agreement between the project proponent and the City will be approved which provides for proportionate assessment of costs for storm drain and street improvements required for Mission Road and the proposed parks. In lieu of paying park fees and the proportionate assessment of the storm drain improvement costs, as stated above, the project proponent may install parks, the storm drain required for Mission Road, and the required street improvements to the Mission Road right-of-way including the north travel lane adjacent to the project area within the City acquired right of way. A subdivision agreement between the project proponent and the City will be approved which provides for proportionate reimbursement of costs for the parks, storm drain, and street improvements installed by the project proponent.

- 3.17 Construct full street improvements (including, but not limited to curb and gutter, asphalt concrete pavement, aggregate base, sidewalk, one drive approach per lot, and street lights) on all interior streets. The widths of the right-of-way shall be as indicated in Condition 3.33 and as shown on the Tentative Tract Map No. 16730 date stamped June 9, 2004, and on file with the City of Loma Linda Community Development Department.
- 3.18 Corner cutoffs at all right-of-way lines in accordance with the City standards.
- 3.19 Street light locations are to be approved by the City of Loma Linda. Streetlights shall be installed and energized prior to release for occupancy for any houses. Streetlights shall be of the mission bell design and consistent with developments in the Mission Road historic overlay district.
- 3.20 Any streets damaged as a result of new services will be repaired as required by the Public Works Department.
- 3.21 Provide adequate corner sight distance per Caltrans standards at intersection and submit verification of same to the Public Works Department as required in conjunction with plan checking of the street improvement plans.
- 3.22 Install street name signs and traffic control signs with locations and types approved by the Public Works Department.
- 3.23 "Record Revisions" made to all plans to reflect the changes to the improvements as constructed.
- 3.24 Slurry seal prior to final bond release or a cash payment made in lieu of slurry seal, after all houses are constructed.
- 3.25 Submit a thorough evaluation of the structural road section, from a qualified soil engineer, to the Public Works Department. Include a recommended street structural section, designed for a service life of 20 years as outlined in Section 600 of the Caltrans Highway Design Manual. The minimum section is 3-1/2" A.C./6" C.A.B. for local streets and 4" A.C./6" C.A.B. for collector streets. The Public Works Department will provide the traffic index.
- 3.26 Design public improvements including sidewalk, drive approaches and handicap ramps in accordance with all requirements of the State of California Accessibility Standards, Title 24 California Administrative Code.

Dedication

- 3.27 Public utility easements shall be dedicated to cover all utilities either by map or separate document.
- 3.28 Install street name signs and traffic control signs with locations and types approved by the Public Works Department.
- 3.29 Stripe and sign for bike lanes on roadways designated by the City for bike lanes.
- 3.30 "Record Revisions" shall be made to all plans to reflect the changes to the improvements as constructed.
- 3.31 Dedicate interior street rights-of-way and all necessary easements by Final Map or separate document.
- 3.32 Dedicate by Final Map or separate document of the following rights-of-way on the following streets:

10	feet to centerline	<u>Interior Drive A, B, C, and G</u>
14	feet to centerline	<u>Interior Drive D, E, F, H and I</u>
45	feet to centerline	<u>Interior Street J</u>
25 & 10	feet to centerline	<u>One Way Street F</u>
30	feet to centerline	<u>Interior Streets A, B, C, D, E, G, H, & I</u>
52	feet to centerline	<u>Mission Road</u>
25 & 30	feet to centerline	<u>Paxton Place</u>

* Width of right-of-way varies as illustrated on Tentative Tract Map.

Note: Corner P/L radius or cutoff required on all street intersections.
Dedication by Final Map unless otherwise approved by the Public Works Department.

- 3.33 Vehicular access rights shall be dedicated for Mission Road and Paxton Place
- 3.34 All lettered lots including parks, open space, areas to be landscaped in front of project boundary walls or fences, within traffic medians, along project street frontages and on major slopes annexed to the City's Landscape Maintenance District in accordance with City policy. The Homeowners Association will be responsible for maintenance of the areas within the tract.
- 3.35 Landscape Maintenance District annexation proceedings completed prior to final map approval.

- 3.36 Provide dedication of Right-of-way, including off-site to transition traffic and drainage flows from proposed to existing, to the City.
- 3.37 The applicant shall process a street vacation request for the slope area along Barton Road with the City of Loma Linda for the prior to final map recordation.

Hydrology/Drainage

- 3.38 All lots shall drain to streets. All additional drainage due to development shall be mitigated on-site, no cross lot drainage will be allowed unless suitable easements are provided. A Water Quality Management Plan is required to address on-site drainage construction and operation.
- 3.39 Proposed development falls within those areas indicated as subject to flooding under the National Flood Insurance Program. This development will be subject to the provisions of that program, and the City's Flood Plain Ordinances.
- 3.40 Provide adequate City of Loma Linda Drainage Easements (minimum fifteen [15] feet wide) over the natural drainage courses and/or drainage facilities. Design easements to contain the 100-year frequency storm flow plus bulking and freeboard per approved City criteria.
- 3.41 Provide engineered plans for all drainage improvements, to the Public Works Department for approval prior to any construction activity.
- 3.42 A complete hydrology study and hydraulic calculations shall be submitted for review and approval by the Public Works Department.
- 3.43 All necessary precautions and preventive measures shall be in place in order to prevent material from being washed away by surface waters of blown by wind. These controls shall include at a minimum: Regular wetting of surface or other similar wind control method, installation of straw or fiber mats to prevent rain related erosion. Detention basin(s) or other appropriately sized barrier to surface flow must be installed at the discharge point(s) of drainage from the site. Any water collected from these controls shall be appropriately disposed of at a disposal site. These measures shall be added as general notes on the site plan and a statement added that the operator is responsible for ensuring that these measures continue to be effective during the duration of the project construction.

- 3.44 Appropriate controls shall be installed to prevent all materials from being tracked off-site by vehicles or other means. These controls may include gravel exits or wash-down areas. Any materials tracked off-site must be removed as soon as possible, but no later than the end of the operation day. This material shall be disposed of at an appropriate disposal site. These measures shall be added as general notes on the site plan and a statement added that the operator is responsible for ensuring that these measures continue to be effective during the duration of the project construction.
- 3.45 Provide a non-potable water main to service Mission Road frontage and all public parks and open space in accordance to the Landscape Maintenance District requirements.
- 3.46 Proposed development falls within those areas indicated as subject to flooding under the National Flood Insurance Program. This development will be subject to the provisions of that program, and the City's Flood Plain Ordinances.

Utilities

- 3.47 Sewage connection to be to the City of Loma Linda system.
- 3.48 City of Loma Linda to be water purveyor.
- 3.49 Provide all utility services to each lot, including sanitary sewers, water, electric power, cable, gas, and telephone. All utilities are to be underground.
- 3.50 All fire hydrants and their distribution mains shall be made part of the Public System.
- 3.51 The developer/owner shall pay for the relocation of any power poles or other existing public utilities as necessary.
- 3.52 Water mains, fire hydrants, services and meters shall be sized and installed to City of Loma Linda standards and as shown on the approved utility plans for the development. These utilities shall be public and constructed within public right-of-way or public utility easements. Submit plans for review and approval.
- 3.53 Improvement plans are to include all connections and locations to the City mains for on-site irrigation, including all meter and backflow prevention devices.

Construction

- 3.54 Obtain a permit prior to any construction within the City's right-of-way.

- 3.55 Any abandoned wells on the property or similar structures shall be destroyed in a manner approved by the Public Works Department in accordance with the State of California Department of Health Services.
- 3.56 No commencement of public street work, except rough grading, until dedication for that street has been recorded.
- 3.57 All underground structures, except those desired to be retained, must be broken in, backfilled, and inspected before covering.
- 3.58 Comply with the requirements of the National Pollution Discharge Elimination System (NPDES) permit program, prior to the issuance of grading permit. A notice of intent issued by the State is required.
- 3.59 During construction of the proposed improvements, equipment shall be properly maintained offsite, any leaks or spills shall be promptly contained and properly disposed.
- 3.60 Comply with the prevailing City standards and requirements at the time of construction.
- 3.61 Provide, to the maximum extent practicable, for the recycling and reuse of existing materials. Coordinate with the Public Works Department to obtain a list of recyclable/reusable materials and recycling vendors. Provide a report of materials recycled/reused; report to include type of materials and quantities of materials recycled/reused.
- 3.62 Prior to construction of the proposed improvements, the project proponent will provide a traffic control plan that will describe in detail safe detours around the project construction site and provide temporary traffic control (i.e. flag person) during demolition debris transport and other construction related truck hauling activities.
- 3.63 During construction of the proposed improvements, construction equipment will be properly maintained at an offsite location and includes proper tuning and timing of engines. Equipment maintenance records and equipment design specification data sheets shall be kept on-site during construction.
- 3.64 During construction of the proposed improvements, all contractors will be advised not to idle construction equipment on site for more than ten minutes.

- 3.65 During construction of the proposed improvements, only low volatility paints and coatings as defined in SCAQMD Rule 1113 shall be used. All paints shall be applied using either high-volume, low-pressure (HVLP) spray equipment or by hand application.
- 3.66 Site clearing and grading operations will be conducted over a 2-month period in order to reduce daily emissions.
- 3.67 During construction of the proposed improvements, the project applicant will provide onsite electrical hook ups for electric construction tools, such as saws, drills and compressors, to eliminate the need for diesel powered electric generators.
- 3.68 Application of paint and architectural coating will be staggered over a 6-month period during construction of the homes to reduce daily emissions.
- 3.69 During construction of the proposed improvements, the project applicant will provide onsite meals to construction workers by arranging a lunch wagon to visit the construction site during work breaks, including the lunch break.
- 3.70 The site shall be treated with water a minimum of twice per day, or other soil-stabilizing agent (approved by SCAQMD and RWQCB) daily to reduce PM₁₀ emissions, in accordance with SCAQMD Rule 403.
- 3.71 Mission Road and other proposed on-site streets shall be swept according to a schedule established by the City to reduce PM₁₀ emissions associated with vehicle tracking of soil off-site. The site access haul road will be watered a minimum of twice daily. Timing may vary depending upon time of year of construction.
- 3.72 Grading operations shall be suspended when wind speeds exceed 25 mph to minimize PM₁₀ emissions from the site during such episodes.
- 3.73 Chemical soil stabilizers (approved by SCAQMD and RWQCB) shall be applied to all inactive construction areas that remain inactive for 96 hours or more to reduce PM₁₀ emissions.
- 3.74 Vehicle speeds shall be restricted to less than 15 miles per hour on unpaved portions of the site.
- 3.75 The construction contractor shall utilize electric or clean alternative fuel powered equipment where feasible.

- 3.76 During construction of the proposed improvements, onsite construction equipment will be fueled with aqueous diesel fuel. Alternatively, if aqueous diesel fuel is not available, diesel construction equipment usage will be reduced by at least 14 percent per day.

4. FEES/PERMITS/BONDING

- 4.1 Pay appropriate fees for plan check, inspection, GIS map plan update, and microfilming and storage of maps and plans, and other required fees.
- 4.2 Development Impact fees shall be paid to the City of Loma Linda prior to the issuance of building permits.
- 4.3 A development agreement will be implemented that will provide for funding of landscape and recreational parks within the project area.
- 4.4 Fire Station and Fire Equipment Development Impact Fees shall be assessed to the project at the rates established for Single-Family Residential development in the City's Resolution "Establishing A Schedule Of Development Impact Fees To Finance Capital Facilities Necessitated By New Development" legally in effect at the time of issuance of building permit. Pursuant to LLMC Chapter 3.28, plan check and inspection fees shall be collected at the rates established by City Manager's Executive Order.
- 4.5 Submit proof of payment from the City of San Bernardino for sewer capacity fees and Redlands Unified School District to the Community Development Department prior to the issuance of any building permits.
- 4.6 Bond all required road, drainage, grading, water, sewer, and landscaping improvements in accordance with City Development Code unless constructed and approved prior to recordation of Final Map. No commencement of public street work until the dedication for that street has been recorded. No releasing of a deposit posted for erosion control and monumentation prior to completion of all on-site construction.
- 4.7 All studies required within these conditions require a deposit to cover the cost of the review of the studies. Additional deposits may be required or a refund issued when the costs do not match the deposits.
- 4.8 All legal costs associated with providing the Development Agreement shall be provided by the applicant prior to issuance of any permits.

5. CC&RS

- 5.1 The applicant shall be required to set up a Homeowners' Association (HOA). The HOA shall maintain all common areas, which include all parks, landscape areas and open space identified on the final map as a lettered lot.
- 5.2 Prior to approval of the final map, all organizational documents for the project including any deed restrictions, covenants, conditions, and restrictions shall be submitted to and approved by the Community Development Department and City Attorney's office. Costs for such review shall be borne by the subdivider. A copy of the final documents shall be submitted to the Community Development Department after their recordation. CC&Rs shall include but not be limited to the following provisions:
- A. Since the City is interested in protecting the public health and safety and ensuring the quality and maintenance of common areas under control of a Homeowner's Association, the City shall be included as a party to the CC&Rs for enforcement purposes of those CC&R provisions in which the City has interest, as reflected by the following B through M. However, the City shall not be obligated to enforce the CC&Rs.
 - B. The requirement that Homeowner's Association bylaws be established.
 - C. Provisions for effective establishment, operation, management, use, repair and maintenance of all common areas and facilities including pool areas, recreational facilities, parks, landscaped areas and lots, trails, pathways, walls and fences and paseos.
 - D. Membership in any Homeowner's Association shall be inseparable from ownership in individual dwelling units.
 - E. Architectural controls shall be provided and may include but not be limited to provisions regulating exterior finishes, roof materials, fences and walls, accessory structures such as patios, sunshades, trellises, gazebos, awnings, room additions, exterior mechanical equipment, television and radio antenna.
 - F. Maintenance standards shall be provided for applicable items listed in Section C above in CC&Rs. Examples of maintenance standards are shown below:
 - (1) All common area landscaping and private lawn areas visible from any public way shall be properly maintained such that they are evenly cut, evenly edged, free of bare or brown spots, free of

debris and free of weeds above the level of the lawn. All planted areas other than lawns shall be free of weeds, dead vegetation and debris. All trees and shrubs shall be trimmed so they do not impede pedestrian traffic along the walkways. All trees shall also be root pruned to eliminate exposed surface roots and damage to sidewalks, driveways and structures.

- (2) Common areas shall be maintained in such a manner as to avoid the reasonable determination of a duly authorized official of the City that a public nuisance has been created by the absence of adequate maintenance such as to be detrimental to public health, safety or general welfare, or that such a condition of deterioration or disrepair cause harm or is materially detrimental to property values or improvements within the boundaries of the subdivision and Homeowner's Association, to surrounding property, or to property or improvements within the project.
- G. Residents shall not store or park any non-motorized vehicles, trailers regardless of length, or motorized vehicles that exceed 7 feet high, 7 feet wide or 20 feet long in any parking or driveway area except for purpose of loading, unloading, making deliveries or emergency repairs except that the Homeowner's Association may adopt rules and regulations to authorize exceptions.
 - H. The Homeowner's Association is responsible for monitoring and enforcing any and all parking regulations as they apply to private property. Individual property owners shall park vehicles in garage spaces. Storage of personal items may occur in the garages only to the extent that vehicles may still be able to be parked within the required garage spaces.
 - I. All utility services serving the site shall be installed and maintained underground as depicted on the site plan.
 - J. The Homeowner's Association shall be required to file the names, addresses, and telephone numbers of at least one member of the Association Board and where applicable, a Manager of the project before January 1st of each year with the City of Loma Linda Community Development Department for the purpose of contacting the association in the case of emergency or in those cases where the City has an interest in CC&R violations.
 - K. Perimeter project block walls to be constructed on private property shall be maintained and replaced, if necessary by a Homeowner's Association. This shall not preclude a Homeowner's Association from assessing

charges to individual property owner for structural damage to the wall or fence.

- L. No amendment to alter, modify, terminate or change the Homeowner's Association's obligation to maintain the common areas and the project perimeter wall or other CC&R provisions in which the city has an interest, as noted above, or to alter, modify, terminate or change the City's right to enforce maintenance of the common areas and maintenance of the project perimeter wall, shall be effective without the prior written approval of the City of Loma Linda Community Development Department.
- M. Maintenance of all manufactured slopes on individual numbered lots shall be the responsibility of the individual property owners.